

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARLBORO TOWNSHIP BOARD OF
EDUCATION,

Plaintiff,

v.

M.V. AND M.V. O/B/O T.V.,

Defendants.

Civil Action No. 17-6319 (MAS) (LHG)

MEMORANDUM ORDER

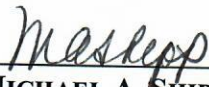
This matter comes before the Court upon Marlboro Township Board of Education's ("Plaintiff") motion for default judgment. (ECF No. 5.) Defendants M.V. and M.V. o/b/o T.V. filed opposition (ECF No. 8) and Defendant replied (ECF No. 10). Local Civil Rule 7.1(d)(1) provides that "[n]o application will be heard unless the moving papers *and a brief* . . . are filed with the Clerk The brief shall be a separate document for submission to the Court[.]" L.Civ.R. 7.1(d)(1) (emphasis added). Here, Plaintiff did not file a brief pursuant to Local Civil Rule 7.1(d)(1).¹ In addition, Defendants' opposition addressed the substantive allegations of the Complaint as opposed to the default judgment factors. Based on the foregoing, and for other good cause shown,

IT IS on this 26th day of March 2018, **ORDERED** that:

1. Plaintiff's motion for default judgment is denied. By **April 13, 2018**, Plaintiff may file a renewed motion for default judgment supported by a legal brief.

¹ Local Civil Rule 7.1(d)(4) provides that "[i]n lieu of filing any brief pursuant to L.Civ.R. 7.1(d)(1), (2) or (3), a party may file a statement that no brief is necessary and the reasons therefor." L.Civ.R. 7.1(d)(4). Here, a statement pursuant to Local Civil Rule 7.1(d)(4) would not have sufficed.

2. By **April 23, 2018**, Defendants may file opposition to Plaintiff's motion and a cross-motion to vacate Clerk's default pursuant to Federal Rule of Civil Procedure 55(c). Defendants' cross motion must also be supported by a legal brief.
3. Plaintiff may file a reply brief by **April 30, 2018**.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE